

REMARKS

This Amendment is being submitted in response to the Notice of Allowance and Notice of Allowability recently issued in connection with this application. The Notice of Allowability was accompanied by an Examiner's Amendment which sets forth a change to the wording in Claim 1. Applicant did not have an opportunity to discuss this change to Claim 1 with Examiner Schwartz prior to issuance of the Notice of Allowance and Notice of Allowability.

The undersigned called Examiner Schwartz on August 1, 2005 to discuss the change to Claim 1. The undersigned explained that the change to Claim 1 could not be accepted by the applicant. The undersigned and Examiner Schwartz discussed alternative wording which would still distinguish over the prior art without limiting the claim wording to a slide resistance imparting arrangement which produces a slide resistance between the piston and the fixed shell that is equal to the slide resistance produced between the power plate and the piston. The undersigned proposed changing the wording in Claim 1 to recite that the slide resistance imparting arrangement produces a slide resistance between the piston and the fixed shell that is sufficient to cancel the slide resistance produced between the power plate and the piston. Claim 1 presented in this Amendment has been amended in this way.

Thus, Claim 1 does not require that the slide resistance imparting arrangement produce a slide resistance between the piston and the fixed shell that is equal to the slide resistance produced between the power plate and the piston. The claimed negative pressure brake hydraulic pressure generating device recited in the version of Claim 1 presented here is nevertheless patentably distinguishable over the prior art because the latter lacks disclosure of a slide resistance imparting

arrangement that produces a slide resistance between the piston and the fixed shell sufficient to cancel the slide resistance produced between the power plate and the piston.

This Amendment was not earlier presented as the need for amending Claim 1 came about as a result of the Examiner's Amendment accompanying the recently issued Notice of Allowability. Based on the telephone conversation with Examiner Schwartz, it is believed that entry of this Amendment will not cause a significant amount of additional work on the part of the Examiner. Further, as noted above, entry of this Amendment does not change the allowable nature of the claims as the prior art does not disclose a negative pressure brake hydraulic pressure generating device possessing the claimed combination of features. Thus, entry of this Amendment is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: August 2, 2005

By: Matthew L. Schneider
Matthew L. Schneider
Registration No. 32,814

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620